


## Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



**TO:** Development Review Board  
**FROM:** Scott Gustin   
**DATE:** May 6, 2014  
**RE:** 12-1138PD Amendment; 70 Appletree Point Lane

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**Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.**

Zone: WRL Ward: 4

Owner/Representative: Staniford Farms, LLC/Eric F. Farrell

**Request:** Amend final plat approval to include minor site utility revisions, adjustment of farmhouse location on lot 20, retention & residing of existing storage shed, and provision of four standard house designs.

### **Applicable Regulations:**

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 10 (Subdivision), and Article 11 (Planned Unit Development)

### **Background Information:**

The applicant is requesting approval to again amend an existing final plat approval for a 26-unit planned unit development (PUD) granted October 16, 2012 and initially amended May 10, 2013. The approved project consists of 21 new building lots, a new public road, and associated infrastructure and amenities. It also includes reconstruction of the private Appletree Point Lane and relocation of the original Wick farmhouse.

The approved project does not include construction of the new the homes. These are to be permitted separately. The primary focus of this amendment request is to gain Development Review Board approval for four home designs that will serve as the basis for all of the new homes to be constructed. Individual homes may vary somewhat from these four templates, and each home will still require separate zoning permits. DRB approval of these four design templates will; however, enable administrative review of individual home permits. Doing so is permissible under Sec. 3.2.7, *Administrative Authority*, (b) *Further Delegation by the Development Review Board* so long as the delegation is specified in the DRB's bylaws. An associated change to Sec. XIII, *Administrative Review*, of the bylaws is included for review. Any new home that does not conform to the templates included in this amendment will be subject to review by the Design Advisory Board and Development Review Board.

The requested amendment also seeks approval to shift the relocated farmhouse some 20' to the west to provide greater separation distance between the tree canopy and the home, increase separation distance among the utilities, and retain and renovate the existing storage shed for use by the homeowners' association.

**Recommendation:** Amended final plat approval as per, and subject to, the following findings and conditions.

## **I. Findings**

### **Article 3: Applications and Reviews**

#### ***Part 5, Conditional Use & Major Impact Review:***

##### ***Sec. 3.5.6, Review Criteria***

###### **(a) Conditional Use Review Standards**

###### ***1. The capacity of existing or planned community facilities;***

The proposed development will be served by municipal water and sewer. Sufficient capacity is available as confirmed by the Department of Public Works. The amendment does not affect capacity in any way. **(Affirmative finding)**

###### ***2. The character of the area affected;***

The proposed amendment does not affect the development's relationship to the character of the surrounding area. The overall layout and scope of the development remains the same. **(Affirmative finding)**

###### ***3. Traffic on roads and highways in the vicinity;***

Traffic impacts will remain unchanged upon project completion. **(Affirmative finding)**

###### ***4. Bylaws then in effect;***

As conditioned, the project will be in compliance with all applicable bylaws. **(Affirmative finding)**

###### ***5. Utilization of renewable energy resources;***

Prior approval requires that conduit will be run in each of the homes so that they are solar ready if future owners opt for that choice. This requirement remains. **(Affirmative finding)**

###### ***6. Cumulative impacts of the proposed use;***

This criterion requires that cumulative impacts associated with residential development where it is permitted be deemed negligible. **(Affirmative finding)**

###### ***7. Functional family;***

Occupancy of all of the dwelling units in this development will be subject to the functional family provisions. There is no request to exceed the limit of four unrelated adults in any of the homes. **(Affirmative finding)**

###### ***8. Vehicular access points;***

See Sec. 6.2.2 (i).

###### ***9. Signs;***

**(Not applicable)**

*10. Mitigation measures;*

The proposed development will likely not generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

*11. Time limits for construction;*

No changes to the approved 5-year build out for the project are requested. The work associated with the development includes installation of all project infrastructure and relocation and renovation of the farmhouse. Within those 5 years, there are two phases: 1) finalize and file the subdivision plat in the city's land records, and 2) construct project infrastructure and farmhouse relocation and renovations. **(Affirmative finding)**

*12. Hours of operation and construction;*

Proposed days and hours of construction remain unchanged at Monday – Saturday, 7:00 AM – 6:00 PM. **(Affirmative finding)**

*13. Future enlargement or alterations;*

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

*14. Performance standards;*

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

*15. Conditions and safeguards;*

See conditions of approval.

**Article 4: Maps & Districts**

***Sec. 4.4.5, Residential Districts:***

***(a) Purpose***

***(2) Waterfront Residential Low Density (WRL)***

The subject property is located in the WRL zone. This zone is primarily intended for low density residential development in the form of single family homes and duplexes. Due to its close proximity to the lake, design review and stormwater management are particularly important considerations. The proposed development as amended remains consistent with the purpose of the WRL zone. **(Affirmative finding)**

***(b) Dimensional Standards & Density***

See Sec. 4.5.5, *Larger Lot Overlay District* for minimum lot size and density.

Lot coverage is limited to 35%. No changes to lot coverage are sought. The approved subdivision plat depicts building envelopes on each of the proposed building lots. Assuming a complete build-out on each lot, total lot coverage within the development would be 25.2%.

Within the PUD, only peripheral setbacks apply. As noted previously, the overall layout of the proposed development remains unchanged.

Building heights are specified and range from 17' to 26' tall. The maximum building height in the WRL zone is 35'. **(Affirmative finding)**

***(c) Permitted & Conditional Uses***

The major PUD is subject to conditional use review in the WRL zone. Such review is addressed in these findings. **(Affirmative finding)**

***(d) District Specific Regulations***

***1. Setbacks***

No setback encroachments are sought.

***2. Height***

Not applicable in WRL.

***3. Lot Coverage***

Lot coverage is compliant as noted previously. **(Affirmative finding)**

***4. Accessory Residential Structures and Uses***

No new accessory uses or structures are included in this proposal. The existing storage shed to be retained and renovated as part of this amendment was originally to be demolished. Its retention is acceptable. Details (i.e. exterior building materials and fenestration) as to its renovation are needed. **(Affirmative finding as conditioned)**

***5. Residential Density***

The proposed residential units are subject to the functional family provisions of the Comprehensive Development Ordinance. No request to exceed these limitations is included in this amendment. **(Affirmative finding)**

***6. Uses***

Not applicable.

***7. Residential Development Bonuses***

No development bonuses are being sought.

***Sec. 4.5.4, Natural Resource Protection Overlay (NR) District***

***(d) District Specific Regulations: Wetland Conservation Zone***

***(6) Criteria for Review***

The amendment entails no changes to onsite wetland impacts. As originally approved, the Conservation Board determined that there are no direct impacts to any mapped wetlands onsite and that buffer impacts are minor. They found that Home Owner Association (HOA) provisions for annual mowing in common areas within the buffer zones and for pond maintenance were acceptable. **(Affirmative finding)**

***Sec. 4.5.5, Larger Lot Overlay District***

***(c) District Specific Regulations: RL Larger Lot Overlay***

***(1) Minimum Lot Size and Density***

The minimum lot size for single family homes in this overlay district is 9,900 sf and 15,840sf for duplexes. Article 11, *Planned Unit Development*, allows flexibility in dimensional requirements



(including lot sizes) and in residential densities. The approved project contains smaller lots. The proposed amendment includes no changes to lot sizes and remains acceptable. **(Affirmative finding)**

#### **Article 5: Citywide General Regulations**

##### ***Sec. 5.2.3, Lot Coverage Requirements***

See Sec. 4.4.5 (b) above.

##### ***Sec. 5.2.4, Buildable Area Calculation***

The proposed amendment has no effect on the buildable area calculation. Density is calculated based on 12.27 acres. At 4.4 units per acre maximum, up to 54 units could be permitted. The 21 proposed units are compliant. **(Affirmative finding)**

##### ***Sec. 5.2.5, Setbacks***

See Sec. 4.4.5 (b) above.

##### ***Sec. 5.2.6, Building Height Limits***

See Sec. 4.4.5 (d) above.

##### ***Sec. 5.2.7, Density and Intensity of Development Calculations***

See Sec. 4.5.5 above.

##### ***Sec. 5.4.8, Historic Buildings and Sites***

The historically significant farmhouse has been approved for relocation already. This amendment seeks only to adjust its new location some 20' to the west in order to improve isolation distance between it and the nearby tree canopy. This slight adjustment is acceptable. **(Affirmative finding)**

##### ***Sec. 5.5.1, Nuisance Regulations***

Nothing in the proposal appears to constitute a nuisance under this criterion. **(Affirmative finding)**

##### ***Sec. 5.5.2, Outdoor Lighting***

Outdoor lighting along the new public road remains unchanged and acceptable. Lighting for the new homes will be included in individual permit applications for each home. **(Affirmative finding)**

##### ***Sec. 5.5.3, Stormwater and Erosion Control***

Stormwater infrastructure remains unchanged as do erosion control measures. Post-construction stormwater management remains the responsibility of the homeowners association as originally approved. Individual home construction must adhere to the erosion control measures included in this project approval. **(Affirmative finding as conditioned)**

#### **Article 6: Development Review Standards:**

##### ***Part 1, Land Division Design Standards***

No changes to the configuration of the previously approved subdivision are proposed. **(Affirmative finding)**

##### ***Part 2, Site Plan Design Standards***

*Sec. 6.2.2, Review Standards*

*(a) Protection of important natural features*

The amended project plans entail no new impacts to onsite natural features including ponds, wetlands, wooded areas, and the existing row of mature Locust Trees along Appletree Point Lane. **(Affirmative finding)**

*(b) Topographical alterations*

No significant topographic changes are included in the amendment. **(Affirmative finding)**

*(c) Protection of important public views*

There are no important public views from or through the property. **(Affirmative finding)**

*(d) Protection of important cultural resources*

The site has no known archaeological resources. **(Affirmative finding)**

*(e) Supporting the use of alternative energy*

The original project approval included provision to make all of the new homes solar ready with conduit included in their construction. This provision should continue to apply. **(Affirmative finding as conditioned)**

*(f) Brownfield sites*

The property is not included on the Vermont DEC's Hazardous Sites List. **(Affirmative finding)**

*(g) Provide for nature's events*

Stormwater management measures will be installed as originally approved.

There is ample room onsite for seasonal snow storage. **(Affirmative finding)**

*(h) Building location and orientation*

The approved building envelopes remain unchanged and will provide for consistent spacing and orientation of new homes within the development. All four of the home templates are oriented towards the street with well-defined front entries. **(Affirmative finding)**

*(i) Vehicular access*

All of the new building lots will be served by private driveways. No changes are proposed in this amendment. **(Affirmative finding)**

*(j) Pedestrian access*

As previously approved, new public sidewalks will serve the new subdivision. The public sidewalk runs continuously across driveways as required. As depicted in the renderings, each new home will have a front walkway connecting to the public sidewalk. **(Affirmative finding)**

*(k) Accessibility for the handicapped*

Public sidewalk ramps will be handicap accessible as required. **(Affirmative finding)**

*(l) Parking and circulation*

Onsite circulation remains unchanged. Parking will be provided with individual homes as they are constructed. **(Affirmative finding)**

*(m) Landscaping and fences*

As previously approved, new street trees will be planted along the new public road. These trees have been reviewed and approved by the City Arborist. Other landscaping consists of a variety of trees, shrubs, and ground cover. Landscaping will be installed in common open space areas. Construction of individual homes will include landscaping plans.

Split rail cedar fencing will be installed along sections of 50' wetland buffer in the rear yards of affected properties. The fencing will provide an on-the-ground demarcation of the buffer zone. **(Affirmative finding)**

*(n) Public plazas and open space*

Common lands and amenities remain essentially unchanged except that the existing storage shed will be retained and renovated rather than demolished. **(Affirmative finding)**

*(o) Outdoor lighting*

See Sec. 5.5.2.

*(p) Integrate infrastructure into the design*

Project infrastructure remains largely unchanged except that utility lines will be laid out to provide greater separation distances than originally proposed. **(Affirmative finding)**

**Part 3, Architectural Design Standards**

**Sec. 6.3.2, Review Standards**

*(a) Relate development to its environment*

*1. Massing, Height, and Scale*

Four building types for the new homes are included in this proposal. These building types will be used throughout the new development and may vary moderately from the templates.

The massing, height, and scale of all proposed building types are consistent with those of existing homes in the surrounding areas. They are 1 ½ to 2 ½ stories tall and all incorporate gabled roofs, porches, and other architectural features to break up their apparent massing and to reflect the human scale of this residential area. **(Affirmative finding)**

*2. Roofs and Rooflines*

All of the new structures will have gable roofs of one style or another. Some of the homes will incorporate multiple rooflines. **(Affirmative finding)**

*3. Building Openings*

Fenestration patterns vary among the proposed building types. All are appropriately scaled and styled for the building types proposed. Front entries face the street and are easily identifiable. All front entries incorporate some type of porch. **(Affirmative finding)**

*(b) Protection of important architectural resources*

Except for a modest revision to its relocation, no changes to the historically significant farmhouse are proposed. **(Affirmative finding)**

*(c) Protection of important public views*

There are no significant public views from or through the subject property. **(Affirmative finding)**

*(d) Provide an active and inviting street edge*

All of the new homes will face the street with prominent front entries. As noted earlier, all of the homes will include front porches and other architectural details to add visual interest. The proposed building types are variable so as to avoid monotony along the new street. Differing colors among the buildings are depicted. Building placement is consistent and will serve to provide a well-defined streetscape. **(Affirmative finding)**

*(e) Quality of materials*

Building materials will consist of vinyl siding and trim with asphalt shingle roofing. Vinyl windows are also proposed. While these materials are not of particularly good quality or durability, they are acceptable for new construction of single family homes. Note that “wood grain” vinyl siding is proposed. Only smooth or “brush stroke” vinyl siding may be used. If any of the future houses substitute higher quality materials; such as wood or fiber cement siding or fiberglass, wood or wood clad windows; such materials are acceptable substitutes for the lower quality less desirable materials proposed. **(Affirmative finding as conditioned)**

*(f) Reduce energy utilization*

All of the new homes must comply with the city’s energy efficiency standards. They will all have ample solar access and will be required to have conduit installed for future optional installation of solar voltaic panels. **(Affirmative finding)**

*(g) Make advertising features complimentary to the site*

No new commercial signs are included in this proposal.

*(h) Integrate infrastructure into the building design*

Mailbox and utility meter locations are not noted on the building templates. Mailbox locations were previously approved on posts by the road and may continue to be. If they are to be relocated onto the homes, the change must be noted. All utility meters must be on the sides or rear of the new homes and screened. **(Affirmative finding as conditioned)**

*(i) Make spaces safe and secure*

All of the new homes must comply with the city’s current egress requirements. The Fire Marshal has previously confirmed the adequacy of proposed access. **(Affirmative finding)**

**Article 10: Subdivision**

See Articles 3, 4, 5, and 6 of these findings.

**Article 11: Planned Unit Development**

***Sec. 11.1.6, Approval Requirements***

*(a) Lot coverage requirements of the district shall be met*

Lot coverage is compliant at 25.2%. The coverage limit is 35%. **(Affirmative finding)**

*(b) The minimum setbacks required for the district shall be met*

As noted previously, setbacks are compliant. **(Affirmative finding)**

*(c) The minimum parcel size shall be met if the project is located in a RL or RL-W district*

The two acre minimum lot size requirement for the PUD has been met. **(Affirmative finding)**

*(d) The project shall be subject to design review and site plan review of Article 3, Part 4*  
See Article 3 above.

*(e) The project shall meet the requirements of Article 10 for subdivision review*  
See Article 10 above.

*(f) All other dimensional, density, and use requirements of the underlying zoning district shall be met as calculated across the entire property*  
Applicable dimensional requirements have been met. The single family homes are permitted in the WRL zone. **(Affirmative finding)**

*(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB*  
Common open space lands will be held and maintained by the Home Owners' Association.  
**(Affirmative finding)**

*(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.*  
See Sec. 3.5.6 (a) 11.

*(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests*  
*Sec. 11.1.1, Intent*

*(a) Promote the most appropriate use of land through flexibility of design and development of land;*

The proposed use of land remains unchanged from the original approval. The residential use is appropriate for this property. Site constraints, primarily wetlands and ponds, preclude the proposed number of units in a traditional subdivision meeting standard dimensional requirements. The PUD process enables flexibility in dimensional requirements that allow for the proposed development. **(Affirmative finding)**

*(b) Facilitate the adequate and economical provision of streets and utilities;*  
Multiple residences will be served by shared streets and utilities within the development. **(Affirmative finding)**

*(c) Preserve the natural and scenic qualities of open space;*  
Open space will remain, and much of it will contain protected natural features like the ponds and wetlands. **(Affirmative finding)**

*(d) Provide for a variety of housing types;*  
Only single family homes are proposed; however, they will vary in size and appearance among the four templates provided. **(Affirmative finding)**

(e) *Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed; and,* As noted in (a) above, extensive wetlands and ponds preclude development on much of the property. Placing homes on smaller lots as proposed preserves these natural features and allows for a moderately scaled development. **(Affirmative finding)**

(f) *Achieve a high level of design qualities and amenities.*

The Design Advisory Board found the project design compliant with the standards of Article 6. Amenities include individual parcels, common open space lands, gazebo, and associated infrastructure, access to significant natural areas and to the public bike path. **(Affirmative finding)**

(j) *The proposed development shall be consistent with the Municipal Development Plan*

The project can be found in reasonable conformance with the MDP:

The project reflects the existing neighborhood development patterns surrounding it (pg. I-24, City of Neighborhoods and pg. III-1, City Policies).

The proposed development constitutes infill development and brings additional housing units into Burlington, the historic core of the region (pg. I-30, Land Use Action Plan).

The development avoids direct impacts to the extensive onsite wetlands and ponds. Clearing of wooded areas is limited (pg. II-1, City Policies).

The historically significant Wick farm house will be retained and renovated (pg. IV-1, City Policies).

The project will comply with the city's current energy efficiency standards (pg. VIII-1, City Policies). **(Affirmative finding)**

## **II. Conditions of Approval**

1. Within 180 days of the date of final approval, the new subdivision plat mylar, with all applicable endorsement signatures, shall be filed with the City Clerk per Sec. 10.1.11 of the Comprehensive Development Ordinance. Failure to do so shall render void the final plat approval.
2. Except as specifically changed in this amendment, all conditions of zoning permit 12-1138PD approved October 16, 2012 and initially amended May 10, 2013 shall remain in effect.
3. **Prior to release the zoning permit**, exterior building material and fenestration details for the storage shed to be retained and renovated shall be noted on proposed elevation plans for the shed, subject to staff review and approval.
4. Erosion control measures included in the original October 16, 2012 approval shall apply to all construction included in this development (infrastructure and individual home construction).
5. All of the new homes shall contain conduit in order to be "solar ready" for potential rooftop solar panels.
6. Future building of structures on any of the lots shall require individual zoning and associated construction permits. The zoning permits shall be reviewed and approved

administratively if the homes are consistent with the four templates approved in this amendment. Homes that significantly diverge from these approved templates shall be subject to review and approval by the Design Advisory Board and Development Review Board. In all cases, impact fees will be assessed based on the square footage of each new house.

7. Zoning permit applications for the individual homes shall include scaled, detailed elevation drawings and site plans. As noted in this amendment, utility meters shall be located on the sides or rear of the homes and shall be screened. Only smooth or “brush stroke” vinyl siding may be installed. If any of the future houses substitute higher quality materials; such as wood or fiber cement siding or fiberglass, wood or wood clad windows; such materials are acceptable substitutes for the lower quality less desirable materials proposed.
8. Standard permit conditions 1 -15.

**Section XIII: Administrative Review.**

The DRB hereby authorizes administrative review in addition to that which is already provided for in the Comprehensive Development Ordinance per Sec. 3.2.7 (b) *Further Delegation by the Development Review Board* for the following application types:

1. De minimus telecommunications facilities
2. Landscaping projects and regular turf maintenance including cutting, filling, re-grading, and reseeded that do not involve the construction of new buildings.
3. New single family homes at Stanniford Farms (permit # 12-1138PD) that conform to the templates reviewed and approved by the DRB.

If an application is submitted for such application type that results in substantial adverse impact under any of the standards set forth in the CDO, it shall not be eligible for administrative review under this section. Further, no amendment issued as an administrative review shall have the effect of substantively altering any DRB decision.

**Section XIV: Amendments.**

These rules may be amended at any regular or special meeting by a two-third vote of the number of regular board members, provided that each DRB member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken. Only those amendments which are presented to the members prior to the meeting may be amended at that meeting.

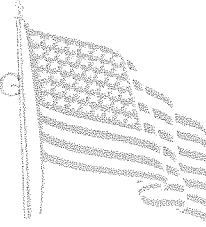


Staniford Farms, LLC  
P.O. Box 1335, Burlington, VT 05402  
802-861-3000 fax 802-861-3003

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DEPARTMENT OF  
PLANNING & ZONING



March 24, 2014

Scott Gustin, AICP  
Senior Planner  
Department of Planning & Zoning  
149 Church Street  
Burlington, VT 05401

Re: Staniford Farms, 70 Appletree Point Lane  
Final Plat Amendment

Dear Scott,

Enclosed please find the following materials for you use in connection with my request to amend my Final Plat approval for the above referenced property:

- Zoning Permit Application
- Application Fee - \$150.00
- Plan Set - Civil Engineering drawings only  
(Drawing Number: C3.0, C3.1; C3.2; C3.3, C3.4, C3.5 & C4.0)
- Pictures of the existing storage shed on Staniford Farms HOA Lot A
- Renderings of four typical/representative house designs
- Article 15, as excerpted from the "Declaration of Planned Community For Staniford Farms, A Common Interest Community" - as recorded in the land records
- Article IX, as excerpted from the "Declaration of Planned Community For Appletree Point Farm, A Common Interest Community" - as recorded in the land records

#### Proposed Changes

The changes that I would like the DRB to consider are, as follows:

- Minor revisions to the site utilities layout: to provide for greater separation distances between utilities per the request of the utility companies.
- Moved the relocated Farmhouse: on Lot 20 by 20' to the west to gain better separation distance from the existing tree line (canopy) on the east side of the house.

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- Retain the existing storage shed: on Staniford Farms HOA Lot A for use by the homeowners for the storage of gardening tools/ equipment and other Association items. The shed will be re-clad with horizontal clapboard siding.
- Proposed (typical) house designs: I would like the DRB to authorize the Staff to approve individual house plans, when and as each lot buyer comes in for a Zoning Permit. The typical renderings that I have attached herein represent a simple, Vermont vernacular design with pitched roofs, front porches and clapboard siding.

Each house will be located within the approved building envelope and otherwise meet all zoning requirements.

The homes on lots 1 - 19 will be subject to architectural controls set forth in Declaration of Planned Community For Staniford Farms. The homes on lots 20 - 22 will be subject to architectural controls set forth in Declaration of Planned Community For Appletree Point Farm.

Each lot buyer will be required to comply with all local, state and federal permit conditions for Staniford Farms and adhere to the City's erosion control standards.

I'm asking the DRB to authorize the Staff to approve all house plans that substantially conform to the designs set forth in the renderings provided herein. My purpose is to reduce the time period and process for securing a Zoning Permit. It makes no sense to me to require the DRB to review the details of each and every house plan.

Please schedule me before the DRB at its earliest convenience.

Many thanks,



Eric F. Farrell  
Sole Member

Attachments

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**DECLARATION OF PLANNED COMMUNITY  
FOR  
APPLETREE POINT FARM  
A COMMON INTEREST COMMUNITY**



Doc ID: 001904020064 Type: LAN

BK 1237 PG 590-653

Elements by persons lawfully using or entitled to use the same.

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- I. **Easement for Encroachment.** To the extent that any Lot or Common Element unintentionally and non-negligently encroaches on any other Lot or Common Element, an easement for the encroachment shall exist.
- J. **Easement Over Lot A.** Each Lot Owner is hereby granted an easement, in common with others, over Lot A as shown on the Plat, subject to use restrictions stated in this Declaration.
- K. **Easements Granted to Adjoining Staniford Farms.** Staniford, together with Murphy and Farrell hereby give, grant and convey unto Staniford Farms, a Common Interest Community, a twenty foot (20') wide easement and right of way for new stormwater lines and appurtenances over portions of Lot A, depicted as "E12" and "E13" on the Plat and Plans. The Association shall be responsible, at its own cost and expense, for making any repairs or replacements to the stormwater appurtenances and lines on Lot A and Lot 24 that are connected to the Staniford Farms stormwater system which benefit the Lot Owners, including foundation drains serving Lots 20, 21 and 22, including repairing any damage to the Staniford Farms stormwater system that arises from such connections. A Lot Owner shall be required to reimburse the Association for the cost of any such damage caused by its use or neglect.
- L. **Easement for Access Reserved for the benefit of Lot 24.** Staniford grants an easement over the twenty foot (20') easement identified as "E12" on the Plat to Murphy and Farrell for purposes of vehicular and pedestrian ingress and egress for the benefit of Lot 24. Murphy and Farrell and their successors and assigns shall be solely responsible for the costs of maintaining and repairing the same.
- M. **Additional Easements.** The Board of the Association shall have the power (without submitting the same to the Lot Owners for approval) to authorize the appropriate officers of the Association to execute any and all easements as it may deem desirable for the benefit of the Common Interest Community over, under, above or through any of the Common Elements for such purposes and upon such terms as the Board, in its sole judgment, deems desirable; provided, however, that all such easements shall be subordinate to the liens and rights of all mortgages and deeds of trust recorded prior in time thereto unless the mortgagee or trustee shall join therein.

## **ARTICLE IX**

### **Restrictions**

- A. **Design Review Committee and Design Standards as to Lots 20, 21 and 22**
1. There shall be a Design Review Committee (the "Committee") which is comprised only of Staniford Farms, LLC. The Design Standards set forth below shall apply only to Lots 20, 21 and 22 ("Lots 20-22") for a period of twenty-five (25) years, except for the fencing restrictions on Lots 21 and 22, which shall remain in perpetuity.
  2. The Design Standards shall apply only to Lots 20, 21 and 22 ("Lots 20-22").

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3. No Dwelling, building, fence, wall, recreational amenity or other structure shall be commenced, erected or placed on Lots 20-22, nor shall any addition or external alteration be made until plans and specifications showing the location of the Dwelling and the nature, kind, shape, height, color and materials for the Dwelling, together with plans depicting the landscaping, limits and nature of all tree clearing, site work and grading have been submitted for approval in writing to the Committee and approved.
4. All Dwellings shall be designed and built to outwardly reflect the traditional New England style of architecture by incorporating traditional pitched roofs of not less than 5/12 for single-story homes and 7/12 for two-story homes (these roof pitches apply to garages and accessory structures, but not porches), overhangs at the soffits, and siding of natural or earth-tone color consisting of wood or vinyl clapboards, narrow horizontal vinyl or cedar shakes, hardiplank, brick or stone. Dwellings must be at least 2,000 sf of living area, determined as follows: measured from the exterior surface of the enclosing exterior walls, including all finished floor levels, but not including garage or basement areas. Dwellings may contain one or two stories only. Garages may be attached to the Dwelling or detached. Dwellings or other structures shall be constructed within required setbacks and building envelopes depicted on the approved plans and shall not exceed thirty-five feet in height. In addition, the goal of the Appletree Point Farms neighborhood and the adjoining neighborhood Staniford Farms is to establish and maintain a traditional residential ambiance and to preserve the wooded nature of the commons areas of the Property and those areas at the rear or sides of lots which serve as buffers against adjoining properties or natural areas.
5. The Dwelling standards referenced in Section 4 above, shall not apply to the existing and historic farmhouse, which is to be relocated to Lot 20 pursuant to, and in compliance with, the Permits.
6. Fences and hedges for privacy and security are allowed and can be located on each Lot, including along the Lot boundary line. No fence shall exceed 6 feet in height, except in the areas west of the building envelope on Lots 21 and 22, where fencing shall not exceed 4 feet. In cases where a fence has one good (finished) side, the good (finished) side shall face the neighboring Lot or property. Fences shall be in compliance with applicable municipal codes and regulations.
7. The Committee shall have the right, in its sole discretion, to refuse to approve any plans, specifications, tree clearing or grading plans, which in its opinion, do not conform with the provisions or the intent of this instrument or the Permits. Decisions of the Committee shall consider the following:
  - (i) The intent of the Declaration of Planned Community and these standards to create and maintain a traditional New England neighborhood. The Committee shall permit only improvements and tree clearing which in its opinion are consistent with that purpose in both design and construction.

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(ii) No improvement shall be permitted which does not reflect traditional New England respect for the quality of life and property values of the other Owners; no improvement shall be permitted by the Committee which would have an undue adverse impact on any other Lot Owner's values or which would detract from the traditional residential ambiance of the neighborhood.

(iii) No improvement shall be permitted which does not maintain the continuity of neighboring properties with respect to size, shape, height, color, style, materials, location and screening.

(iv) Varied designs of Dwelling houses shall be preferred, and Dwellings of identical design shall not be constructed on adjacent Lots.

(v) The Permits.

8. The Committee's approval or disapproval, as required herein, shall be in writing. In the event the Committee fails to issue its written approval or disapproval within thirty (30) days after complete plans and specifications have been submitted to it, the submitted plans and specifications shall be deemed to be approved.

9. The Committee shall not be liable or responsible for any approval based on an inaccuracy in the plans and specifications. In addition, the Committee's approval shall not represent or warrant that the improvements are safe or appropriate for their intended uses, nor shall the approval represent or imply that the plans and specifications are accurate and comply with applicable codes, regulations, statutes, permits or approvals.

**B. Covenants and Environmental Restrictions as to Lots 20, 21, 22, 23, 24 and 25.**

1. **Use of Property Subject to Permits.** The Property shall be used and conveyed only in accordance with the conditions of the Permits; all protective covenants and easements and rights of way for utilities of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. § 601-611, both inclusive; and as all of the foregoing may be amended from time to time and as set forth on Exhibit A. The Lot Owners by and through the Association have an ongoing obligation to ensure compliance (including, but not limited to, the costs associated therewith) with all applicable laws, regulations and requirements of the Permits.

If the use of or activities or events occurring on a Lot or a condition existing on a Lot violates: the Permits or any other governmental permit, approval, authorization or certification pertaining to a Lot or the Property; or, any government ordinance, statute, rule or regulation relating to use of the Property (a "Violation"), the Violation resulting from (i) the written agreement of the Owner of the Lot acknowledging the Violation; or, (ii) the written determination of the governmental authority having jurisdiction to enforce the Violation, which determination is deemed final in that it is not subject to a further

## Scott Gustin

---

**From:** Eric Farrell <efarrell@farrellrealestatevt.com>  
**Sent:** Tuesday, April 15, 2014 9:50 AM  
**To:** Scott Gustin  
**Cc:** Chris Brown  
**Subject:** FW: Building Heights  
**Attachments:** Staniford Farms QFS.pdf

Hi Scott,

Does this information from Snyder complete what you need for the DRB?

Eric

Eric F. Farrell  
[efarrell@farrellrealestatevt.com](mailto:efarrell@farrellrealestatevt.com)

### FARRELL REAL ESTATE

Mailing: PO Box 1335, Burlington, VT 05402-1335  
Physical: 875 Roosevelt Highway, Suite 120, Colchester, VT 05446

P: 802-861-3000 x12  
F: 802-861-3003  
C: 802-343-7055

*"Prosperity means a healthy, peaceful life with good relationships  
and enough resources to be able to be a blessing to others." ~ Joel Osteen*

---

**From:** Chris Brown [mailto:cbrown@snyderhomesvt.com]  
**Sent:** Tuesday, April 15, 2014 8:41 AM  
**To:** Eric Farrell  
**Subject:** Building Heights

Eric,

Building heights as follows:

Champlain 17'

Tamarack 21'

Tyndale 26'

Whitman 26'

Our measurements started 9" below the lowest point on our elevations and were measured "to the midpoint of the rise between the roof plate and the ridge of the highest gable" as defined in section 5.2.5 of the city wide ordinances. I believe maximum height is 35', so we have plenty of room to spare on all 4 elevations.

I'm on dad duty today with my boys out of school so I won't have time to draw on the elevations. Hopefully the description above will be sufficient for Scott.

Chris Brown  
Build on Your Lot Coordinator  
Snyder Custom Homes LLC  
802-825-1031



# Staniford Farms Quality Features

## Plumbing:

- All bath fixtures are white, faucets are Moen® Kingsley collection chrome with lever handles.
- Kitchen sink is double bowl stainless steel.
- Kitchen sink faucet is Moen Extensa, chrome.
- Water Heater - 50 gallon direct-vent high efficiency.
- PEX domestic water piping. PVC drainage and vent pipes.
- Two frost-free exterior faucets.
- Plumbing and electrical hookups for clothes washer and electric dryer.
- Anti-Scald valves on showers.
- Low consumption elongated-bowl toilets.

## Heating:

- 95% high-efficiency propane forced hot air heating system with fresh air intake.
- Programmable set-back thermostat.

## Electrical/Lighting:

- 200 Amp service.
- Two exterior weatherproof outlets.
- A total of eight phone, cable or additional outlets are included (to be located).
- Smoke detectors & CO detectors for all levels wired into the electrical system with battery backups.
- Bathroom Fans - all bathrooms have a Panasonic fan or fan/light combination, some bath fans on timers for air exchange.
- Interior and exterior light fixtures and front door bell. An allowance of \$300 for the dining/dinette room light is included. Recessed lighting is included per home plan.
- Two under cabinet lights included.

## Interior Millwork:

- Interior Doors - colonial 2-panel smooth finish.
- Satin chrome Schlage® door knobs.
- Colonial 2 ½" casing for windows and doors, 5 ½" baseboard, millwork is pre-primed and finger-jointed.
- Mirrors - oval white framed mirror above pedestal sinks and full ground-edge mirrors above vanities.
- Closet Shelving - White vinyl covered steel. Pantries and linen closets feature 'close-mesh' shelving.
- Staircase detail is a painted shoe wall with hardwood cap. Railing and newel posts are clear finished hardwood, balusters are white.

## Interior Finishes:

- Walls - ½" drywall with two coats of 'Builder Solution' flat paint, one wall color throughout.
- Ceilings - ½" non-textured drywall with flat white paint.
- Interior Millwork and Doors - window and door casings and interior doors are pre-primed and painted with satin finish paint.
- Interior of garage is unpainted and unfinished.
- Towel Bars and Paper Holders - chrome plated. ½ bathroom has towel ring, full and master baths have 30" towel bar. Paper holder matches towel bar.
- Chrome & clear glass shower door in master bathroom.

## Cabinets and Countertops:

- Aristokraft® kitchen and bath cabinets per home plan.
- All plans include a waste basket base cabinet.
- Countertops - Granite with undermount double bowl stainless steel sink.
- Medicine cabinet to match vanity in full and master bathrooms.
- Vanity Tops - granite with integrated sink.

## Flooring:

- Pre-finished hardwood flooring in the Front Entry Hall, Dinette, Kitchen and Dining Rooms, per plan.
- Ceramic floor tile in all bathrooms.
- Vinyl flooring in laundry room
- Carpet - stain resistant same color throughout.
- Padding - 8 lb. Urethane pad.

## Appliances:

- Appliances, stainless steel finish.
- Refrigerator - Whirlpool® side-by-side 25 cubic foot with ice and water dispenser in the door.
- Electric range - Whirlpool® free standing self-cleaning oven w/ window in door.
- Microwave - Whirlpool® vented outside.
- Dishwasher - Whirlpool® 5 cycle Potscrubber, 2 level wash.
- Disposal - Insinkerator® Badger 5™ ½ HP continuous feed (municipal septic systems only).

### PLEASE NOTE:

We are continually improving the design and quality of our homes. Therefore, plans, specifications and options may change without notice. All plan dimensions are approximate and are subject to field variations. Revised 3/10/2014



# Staniford Farms

## Quality Features

### Green Building Features:

- 82% or more of construction waste recycled.
- Energy Code Plus Rating including inspection from Efficiency Vermont.
- Energy Star products include: Hot water heater, furnace, refrigerator, microwave, dishwasher, bathroom ventilation fans, windows
- Air Sealing
- Low flow water fixtures
- Low VOC paints
- Recycled carpet included standard
- Passive radon mitigation system, including testing. If high levels of radon are still present the system will be converted to an active radon mitigation system at no charge.

### Special Features for all Homes:

- 9' ceilings on the 1st floor which includes taller kitchen cabinets and transom windows over the front and dinette doors
- Architectural columns with trim per plan

### Sitework/Landscaping:

- Foundation drainage system.
- Covered front porch – treated wood steps.
- 14'x10' treated wood deck with wood railing and steps on rear of home.
- Final grade, rake and hydroseed for disturbed areas
- Paved driveway – 2" of asphalt

### Foundation:

- Concrete Footings - 20"x10" continuous.
- Concrete Walls - steel reinforced, 8" x 7'-10" with 2 coats of pressure seal.
- Concrete Slabs - 4" in basement and 4" with fibermesh in garage.
- Basement Windows - two solid vinyl windows with insulated glass and screen.
- Scapewell window well and egress window.

### Framing:

- Floor Joists - 2x10 or 2x12 as required, 16" o/c.
- Floor Decking - ¾" tongue and groove AdvanTech® engineered sheathing, glued, nailed and screwed.
- Exterior Walls - 2x6 24" o/c with 7/16" OSB sheathing.
- Interior Walls - 2x4 16" o/c and 2x6 16" o/c plumbing walls.
- Garage Walls - 2x4 16" o/c with 7/16" OSB sheathing.

### Roofing:

- Engineered roof trusses 24" o/c with 7/16" OSB sheathing, 'H' clips, 15# felt paper.
- Shingles - Architectural asphalt shingles with 30-year warranty.
- 5" metal drip edge and ice and water shield border.
- Continuous ridge vents.
- Seamless aluminum white gutters and down spouts.

### Siding & Exterior Trims:

- 4" clapboard vinyl siding in wood grain finish. *Not ok*
- 5" wide vinyl outside corners.
- 3-1/2" wide vinyl window casings or shutters on the front (varies with elevation).
- 24" gable end returns with 12" frieze boards on front.
- See elevations for specific exterior trim details that are included with each home plan.

### Exterior Doors:

- Exterior Doors - Raised-panel steel insulated doors with pressure seal weather-stripping.
- Deadbolts on all exterior doors.
- Front Door – Satin chrome Schlage® Plymouth handleset with deadbolt, sidelights with full glass and glass transom on top.
- Rear/Dinette – full glass steel insulated door with glass transom on top.
- Garage Doors - Overhead Door® 9x7 steel insulated raised-panel with openers.

### Windows:

- Solid white vinyl windows with low 'e' insulated glass, argon gas and screens.
- Double-Hung windows tilt in for easy cleaning.
- Casement windows provided as per home plan.
- Grills - sculpted profile white airspace grills on the front of the home.

### Insulation:

- Exterior walls have 5 1/2" R-21 high density fiberglass batt insulation.
- Ceilings - 18" R-50 blown cellulose or 12" R-38 fiberglass batts as needed.
- Basement foundation walls are covered with 2.5" R-15 Dow THERMAX™ White Finish insulation. All seams are taped.
- Voids around all windows and doors are filled with expandable foam insulation.
- Bathroom walls are sound insulated with Owens-Corning® QuietZone™ fiberglass batts.

WHITMAN RECEIVED  
MAR 25 2014

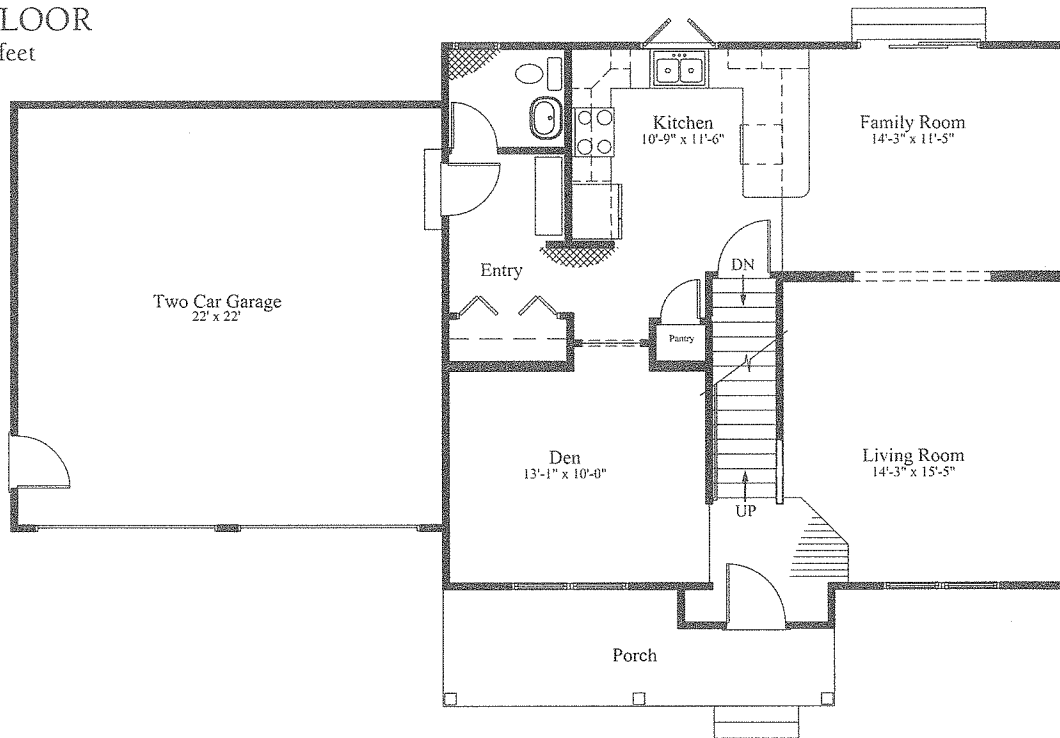
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PLANNING & ZONING



# WHITMAN

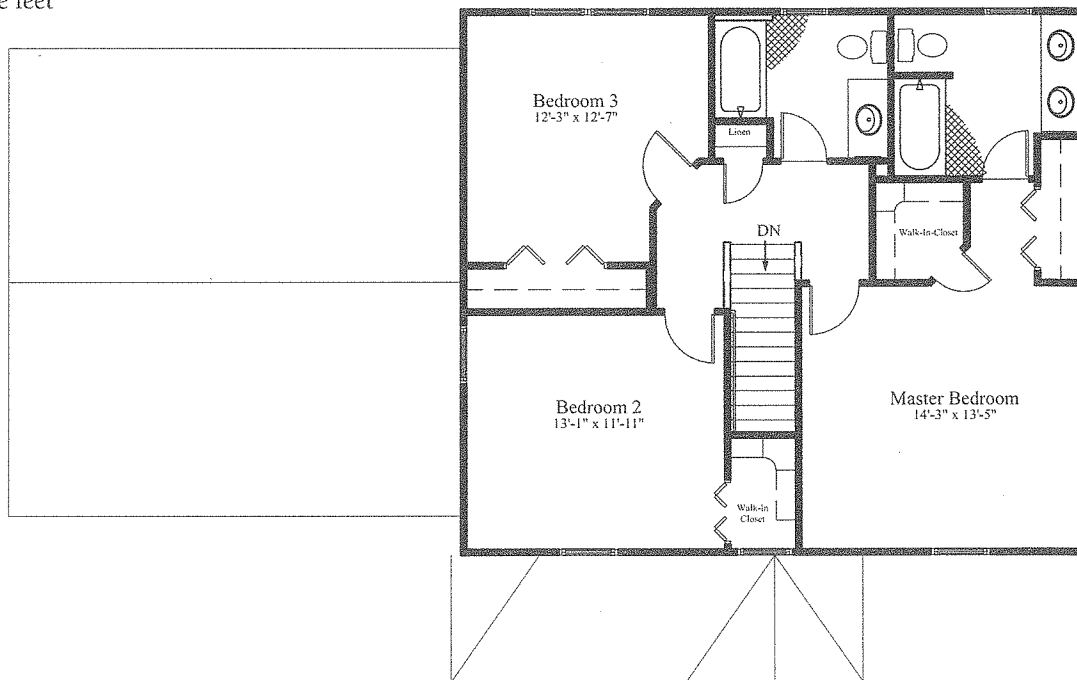
## FIRST FLOOR

896 square feet



## SECOND FLOOR

864 square feet





TAMARACK RECEIVED  
MAR 25 2014

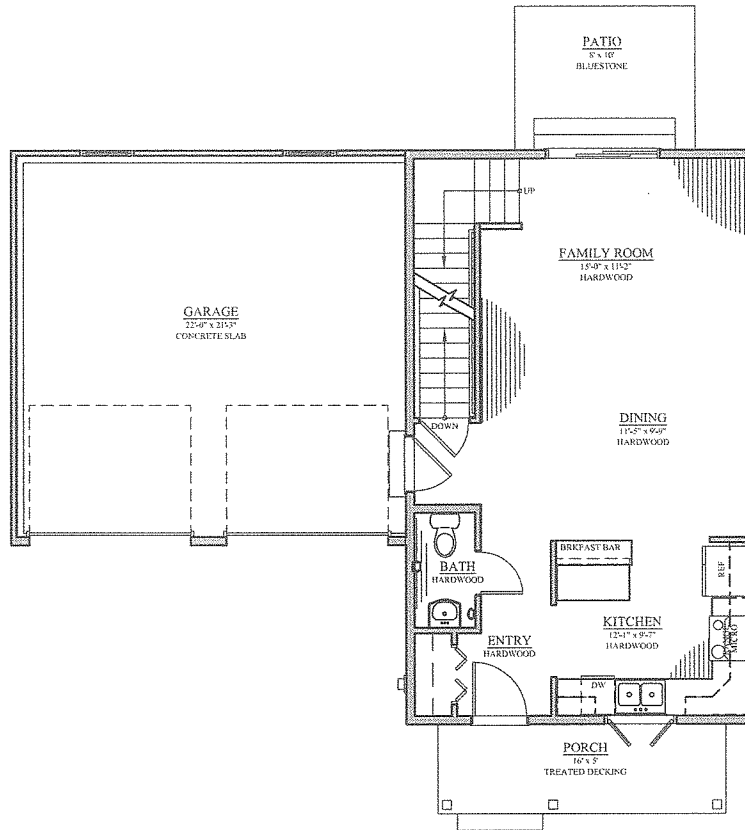
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# TAMARACK

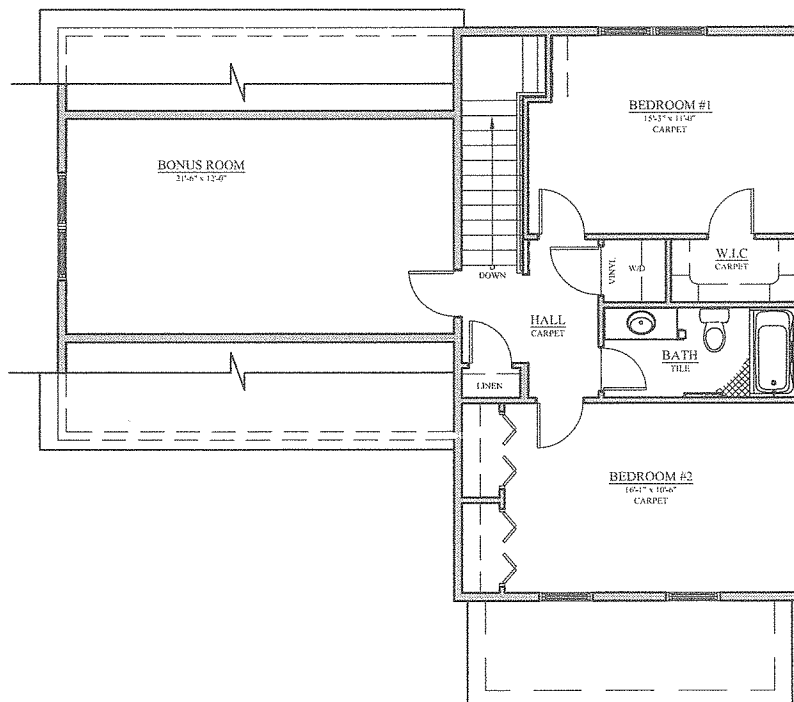
## FIRST FLOOR

704 square feet



## SECOND FLOOR

950 square feet





CHAMPLAIN

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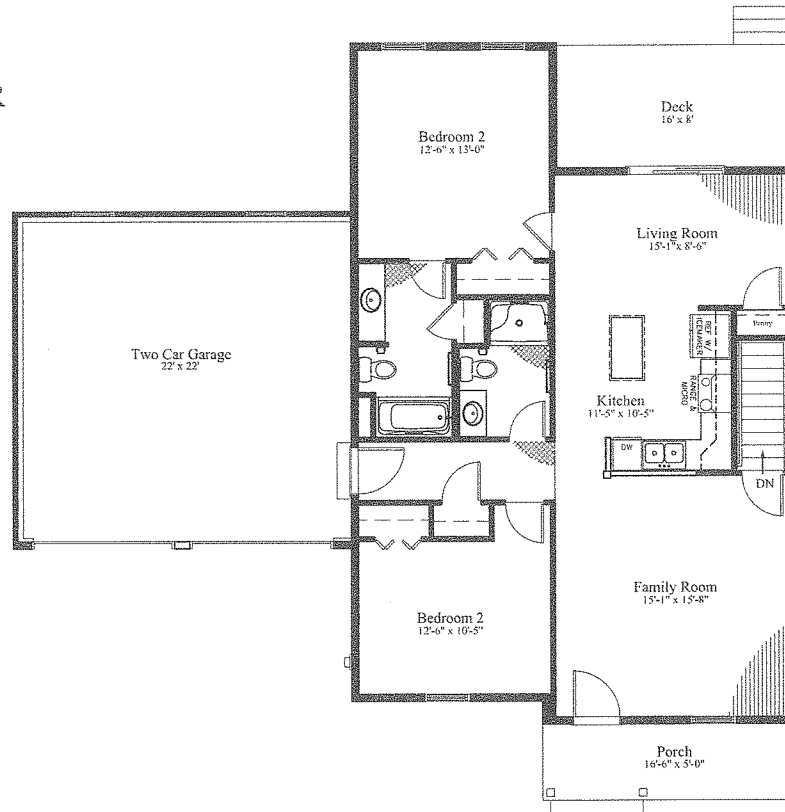
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# CHAMPLAIN

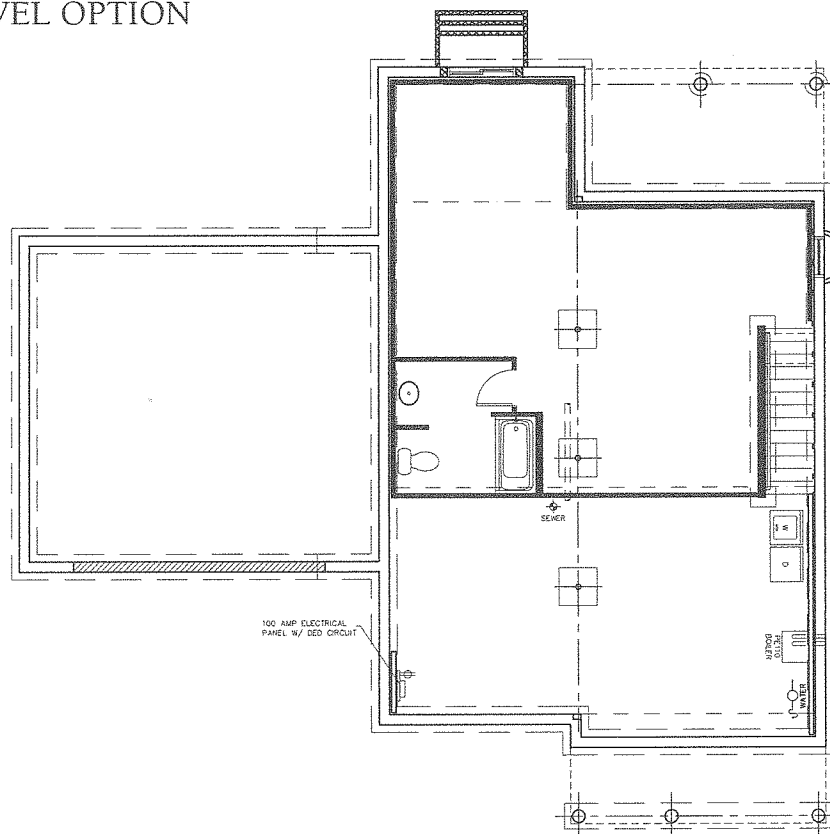
## FIRST FLOOR

1079 square feet



## LOWER LEVEL OPTION

627 square feet





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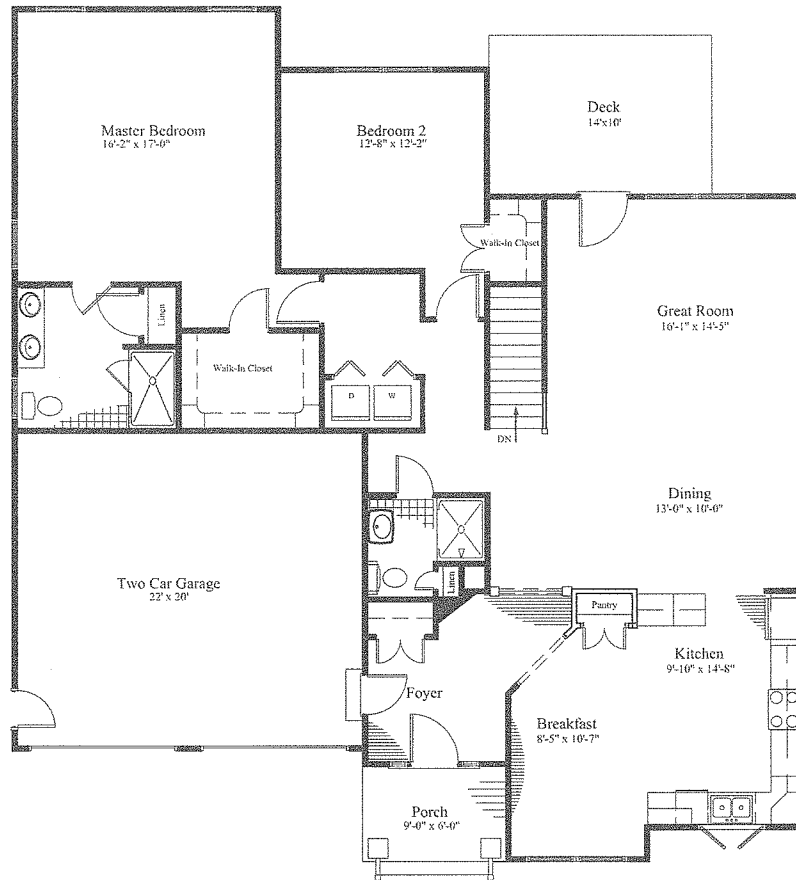
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# TYNDALE

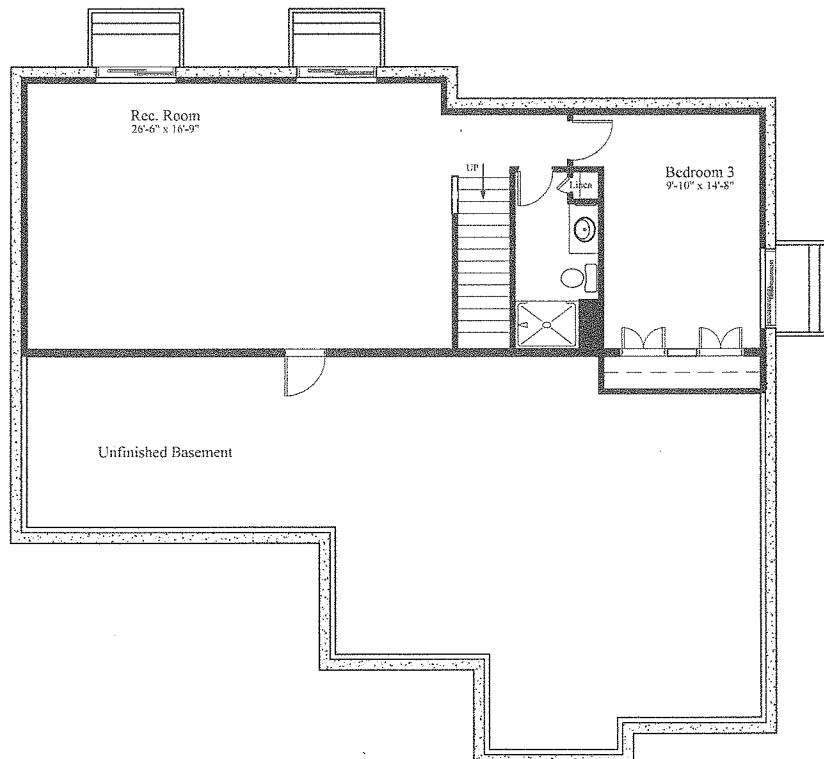
## FIRST FLOOR

1736 square feet



## LOWER LEVEL OPTION

861 square feet







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RECAPTURE

7000








LEGEND

- 336--- EXISTING CONTOUR
- 336--- PROPOSED CONTOUR
- PROPERTY LINE
- GRAVITY SEWER LINE
- FM --- FORCE MAIN
- W --- WATER LINE
- OE --- OVERHEAD ELECTRIC
- UE --- UNDERGROUND ELECTRIC
- T --- TELEPHONE LINE
- G --- GAS LINE
- ST --- STORM DRAINAGE LINE
- ST-OF --- STORM DRAINAGE LINE
- ⊙ SEWER MANHOLE
- ⊙ STORM MANHOLE
- ⊙ HYDRANT
- ⊙ SHUT-OFF
- ⊙ POWER POLE
- ⊙ CATCH BASIN
- ⊙ SIGN
- ⊙ DECIDUOUS TREE
- ⊙ CONIFEROUS TREE
- EDGE OF WOODS/BRUSH
- FENCE
- DRAINAGE SWALE
- CLASS II WETLAND
- CLASS III WETLAND
- WETLAND BUFFER

GRAPHIC SCALE

1 inch = 40 ft.

SITE ENGINEER:



CIVIL ENGINEERING ASSOCIATES, INC.  
10 MAHFIELD VIEW LANE, SO. BURLINGTON, VT 05408  
802-885-2888 FAX: 802-884-2271 web: www.ces-ve.com

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DRAWN: ACL

CHECKED: PBS

APPROVED: SAV

OWNER:

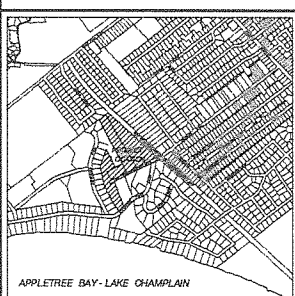
**STANFORD FARMS, LLC**

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DEPARTMENT OF LAND USE

PROJECT:

**STANFORD FARMS**

BURLINGTON VERMONT



APPLETREE BAY-LAKE CHAMPLAIN

LOCATION MAP  
1" = 1500'

DATE	CHECKED	REVISION
5.16.12	SAV/ACL	REVISED PLAN PER NEW SITE INFO.
6.21.12	SAV/ACL	REVISED PLAN PER NEW SITE INFO.
7.31.12	SAV/ACL	ADDED SIDEWALK TO STANFORD ROAD
9.05.12	SAV/ACL	REVISED HOUSE LOTS
5.08.15	SAV/ACL	REVISED FOR LOCAL SUBMITTAL
4.18.15	PBS	ADD POUND, DRAIN LOTS 21 & 22
6.07.15	CJG	ACT 250 REV. DATE
8.04.15	SAT/ACL	CONSTRUCTION PLAN
11.4.15	SAV/ACL	REV'D PLOT & BACKGROUND, ADDED EX. BLDG. IN PLAYGROUND

GRADING AND DRAINAGE PLAN

DATE: MARCH, 2011

SCALE: 1" = 40'

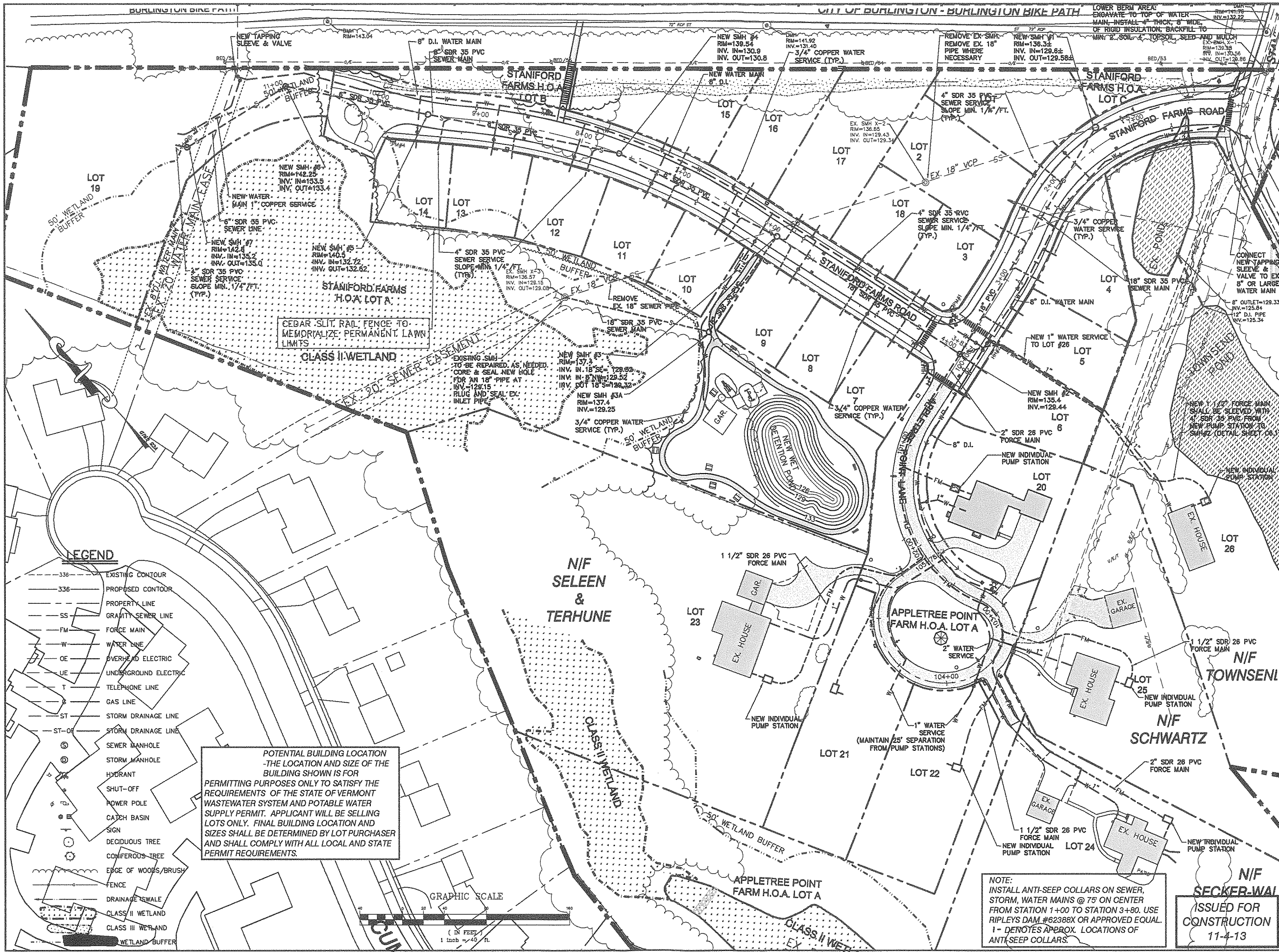
PROJ. NO.: 06205.01

DRAWING NUMBER: **C4.0**

ISSUED FOR CONSTRUCTION  
1114-13

NOTE:  
INSTALL ANTI-SEEP COLLARS ON SEWER,  
STORM, WATER MAINS @ 75' ON CENTER  
FROM STATION 1+00 TO STATION 3+00. USE  
ARLAYS DAM #62388X OR APPROVED EQUAL  
1" DENOTES APPROX. LOCATIONS OF  
ANTI-SEEP COLLARS





SITE ENGINEER:  
CIVIL ENGINEERING ASSOCIATES, INC.  
10 MANFIELD VIEW LANE, SO. BURLINGTON, VT 05403  
802-885-8583 FAX 802-884-8271 web: www.cae-vt.com

DRAWN  
ACL

CHECKED  
PBS

APPROVED  
PBS

OWNER:  
  
**STANIFORD FARMS, LLC**

**MAR 25 2014**

DEPARTMENT OF  
PLANNING & ZONING

PROJECT:  
  
**STANIFORD FARMS**

**BURLINGTON VERMONT**

LOCATION MAP  
1" = 1500'

DATE	CHECKED	REVISION
7.31.12	SAT/ACL	REVISED PLAN PER REVIEW COMMENTS ADDED SIDEWALK TO STANFORD ROAD
9.30.12	SAT/ACL	REVISED HOUSE LOTS
9.26.13	SAT/ACL	REVISED FOR LOCAL SUBMITTAL REVISED HOUSE LOTS
4.15.10	FBS	REVISED TOWNSEND PM SLURRY
6.01.18	CJG	STATE WASTEWATER PERMIT
6.07.18	CJG	ACT 250 REV. DATE
6.26.13	PBS/ACL	RELOCATED INDIVIDUAL PUMP STATION FOR SE. SEP. FROM WATER LINE
9.04.15	SAT/ACL	CONSTRUCTION PLAN
11.4.13	SAT/ACL	REV'D PATH & PLAYGROUND, WATER SERVICE TO EX. #26 BY PLAYGROUND

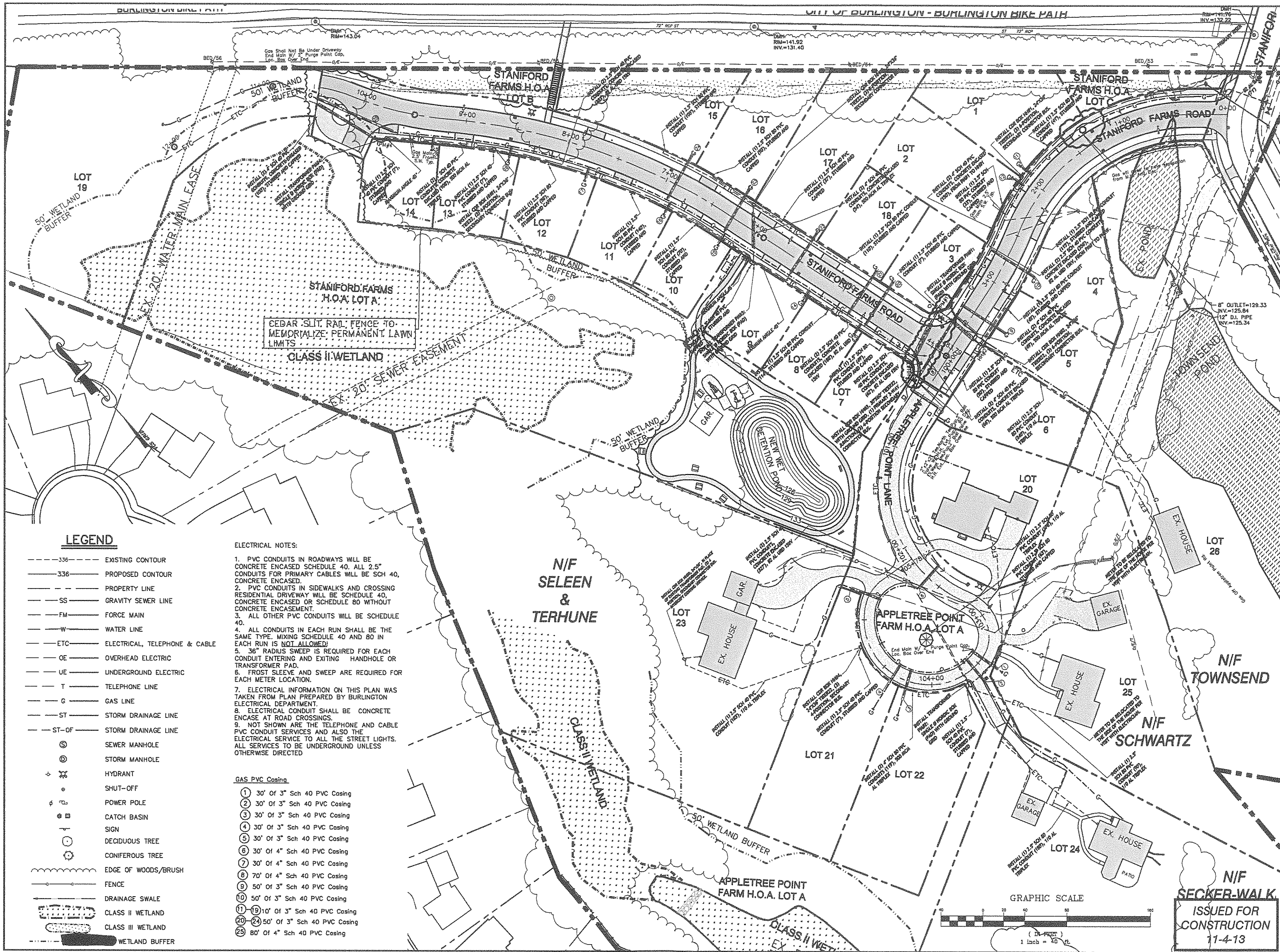
SEWER & WATER PLAN


DATE  
MARCH, 2012

SCALE  
1" = 40'

PROJ. NO.  
06205.01

DRAWING NUMBER  
**C3.1**



SITE ENGINEER:  
  
CIVIL ENGINEERING ASSOCIATES, INC.  
10 MANSFIELD VIEW LANE, SO. BURLINGTON, VT 05403  
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SAV

OWNER:  
  
**STANFORD  
FARMS, LLC**

MAR 25 2014  
DEPARTMENT OF  
PLANNING & ZONING

PROJECT:  
  
**STANFORD  
FARMS**

BURLINGTON  
VERMONT

DATE	CHECKED	REVISION
5.21.12	SAV/ACL	REVISED PLAN WITH NEW BID INFO.
7.31.12	SAV/ACL	REVISED PLAN PER REVIEW COMMENTS ADDED SIDEWALK TO STANFORD ROAD.
9.26.12	SAV/ACL	REVISED HOUSE LOTS
9.28.12	SAV/ACL	REVISED FOR LOCAL SUBMITTAL REVISED HOUSE LOTS
5.7.13	SAV/ACL	REVISED ELECTRICAL SERVICES
9.24.13	SAV/ACL	CONSTRUCTION PLAN
9.9.13	SAV/ACL	REVISED ELECTRICAL SERVICES
11.4.13	SAV/ACL	REVISED GAS SERVICES, PATH & PLAYGROUND, ELEC. & WATER SERVICE TO EX. HUG IN PLAYGROUND
6.18.14	SAV/ACL	GAS AND ELECTRICAL LINES TO GET MINIMUM SEPARATION

**ELECTRICAL  
& GAS  
PLAN**

DATE  
MARCH, 2012  
SCALE  
1" = 40'  
PROJ. NO.  
06205.01

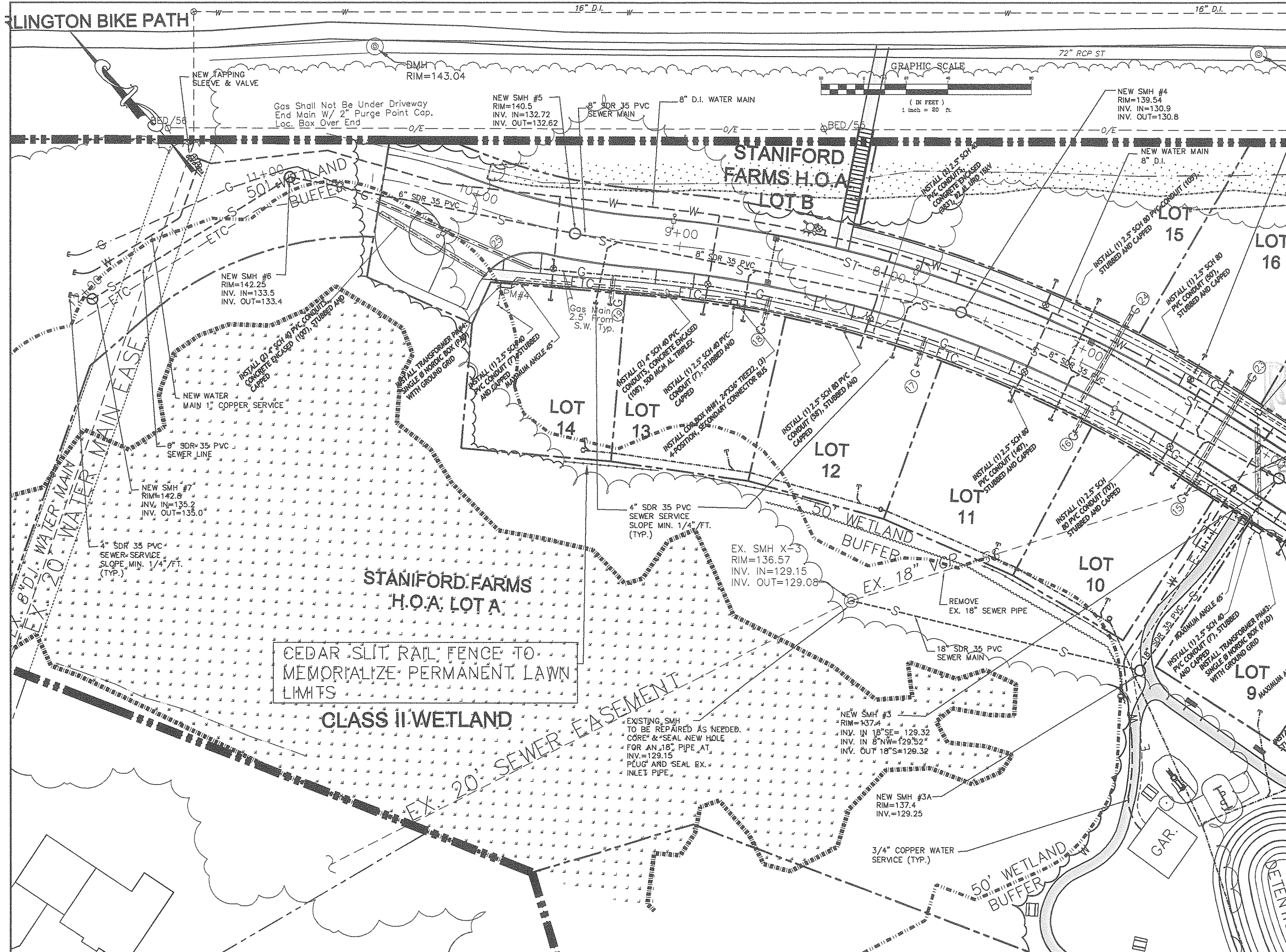
DRAWING NUMBER  
  
**C3.2**

ISSUED FOR  
CONSTRUCTION  
11-4-13









SITE ENGINEER:  
  
CIVIL ENGINEERING ASSOCIATES, INC.  
10 MANSFIELD VIEW LANE, SO. BURLINGTON, VT 05403  
802-864-8283 FAX: 802-864-8271 web: www.ciaa-vt.com

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APPROVED: PBS

OWNER:  
  
STANIFORD FARMS, LLC

ISSUED FOR CONSTRUCTION  
2-19-14

PROJECT:  
  
STANIFORD FARMS  
MAR 25 2014  
BURLINGTON VERMONT

LOCATION MAP  
1" = 1500'

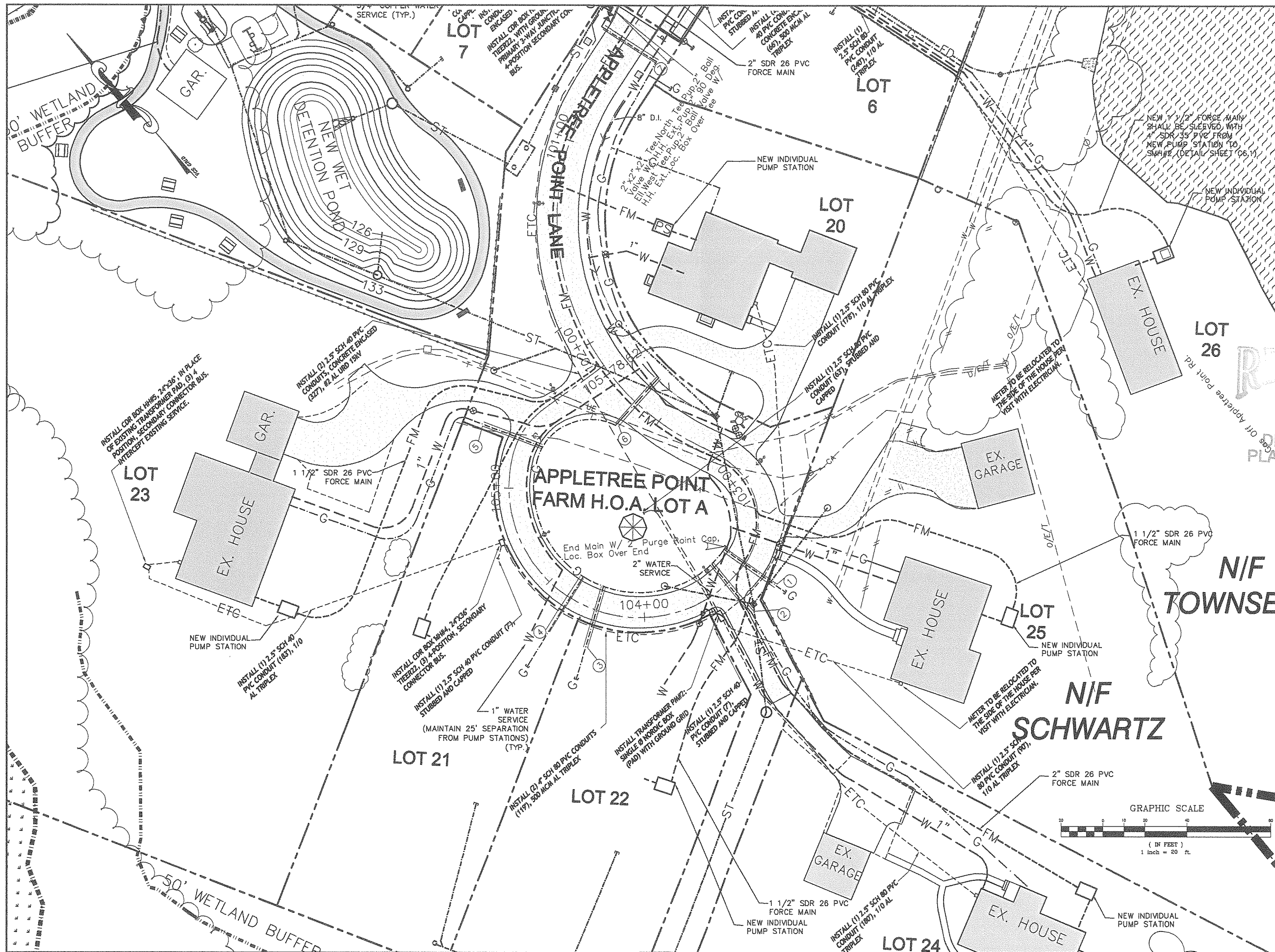
DATE	CHECKED	REVISION

UTILITY PLAN - N

DATE: FEB., 2014  
SCALE: 1" = 40'  
PROJ. NO. 06205.01

DRAWING NUMBER  
  
C3.4

P:\AutoCAD Projects\2006\06205.01\1-CAD DRAWINGS\DWG\06205.01R.dwg, C3.4, 2/19/2014 2:27:00 PM, alolselle



SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.  
10 MANSFIELD VIEW LANE, SO. BURLINGTON, VT 05403  
802-886-2283 FAX: 802-884-2271 web: www.caa-vt.com

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APPROVED: PBS

OWNER:

STANIFORD FARMS, LLC

ISSUED FOR CONSTRUCTION  
2-19-14

PROJECT:

STANIFORD FARMS  
MAR 2 2014

BURLINGTON VERMONT

LOCATION MAP

DATE: FEB, 2014  
SCALE: 1" = 40'  
PROJ. NO.: 06205.01

DRAWING NUMBER: C3.5